

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 373

Short Title: GPAC-Employee Classifications/Compensation.

(Public)

Sponsors: (by request) Representatives Robinson, Blue, Diamont, Hensley, H. Hunter, G. Miller, and Nesbitt.

Referred to: Public Employees.

February 25, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE GOVERNMENT
PERFORMANCE AUDIT COMMITTEE REGARDING EMPLOYEE
CLASSIFICATIONS AND COMPENSATION.

The General Assembly of North Carolina enacts:

—STATE EMP. CLASSIFICATION/FUNDS.

Section 1. (a) Article 1 of Chapter 126 of the General Statutes is amended by adding a new section to read:

"§ 126-4.1. State employee classifications system.

(a) The Office of State Personnel shall study employee job classifications and implement a revised classification system that is coordinated as an integral part of the compensation system for State employees.

(b) The classification and compensation study conducted by the Office of State Personnel shall include the development and implementation of the following study components: compensation philosophy, salary structure, pay delivery, job descriptions, and external and internal job evaluations. The classification study shall determine which State jobs are paid below, at, or above the competitive private market rates.

(c) The Office of State Personnel shall conduct an ongoing review of the State employee classification system to facilitate the consolidation of titles within classes, the creation of generic job titles, and the provision of dual career tracks to provide employees with opportunities for vertical growth in nonmanagement positions."

(b) There is appropriated from the General Fund to the Office of State Personnel the sum of two hundred twenty-five thousand dollars (\$225,000) for the 1993-94 fiscal

1 year and the sum of two hundred twenty-five thousand dollars (\$225,000) for the 1994-
2 95 fiscal year for implementation of the review of the State employee classification
3 system. The Office of State Personnel shall complete the classification study within no
4 more than 24 months.

5 (c) Subsection (a) of this section is effective upon ratification. Subsection (b) of
6 this section becomes effective July 1, 1993.

7 —STATE PERFORMANCE PAY.

8 Sec. 2. (a) G.S. 126-7(c) reads as rewritten:

9 "(c) Performance ~~increases, if awarded,~~ increases shall be based on performance
10 appraisals of all employees conducted by each department, agency, and institution. The
11 State Personnel Commission, under the authority of G.S.126-4(8), shall adopt policy
12 and regulations for performance appraisal. The policy and regulations shall include the
13 following:

14 (1) The performance appraisal system of each department, agency, or
15 institution shall be designed and administered to ensure that
16 performance increases are distributed fairly ~~and reward only performance~~
17 ~~that exceeds performance requirements.~~ and to reward performance that
18 meets or exceeds performance requirements. Employee performance
19 exceeding requirements will receive greater rewards than performance
20 that only meets performance requirements.

21 (1a) Employees shall progress through salary grades based upon
22 performance and an employee's location in the salary grade in
23 accordance with guideline charts that identify an employee's current
24 performance rating and location in the pay grade. Guideline charts
25 shall determine the amount of an employee pay increase.

26 (2) To be eligible to distribute its share of the performance increase
27 allocation, a department, agency, or institution shall have an operative
28 performance appraisal system which has been approved by the State
29 Personnel Director. The performance appraisal system adopted shall
30 use a rating scale of:

31 a. Five levels, with the top ~~two levels~~ three levels qualifying for
32 performance increases; or

33 b. Other than five levels, with the levels qualifying for
34 performance increases to be designated by the State Personnel
35 Commission, for those job classifications in those employing
36 units where a department, agency, or institution demonstrates to
37 the State Personnel Commission that some number of levels
38 other than five would be appropriate, and the State Personnel
39 Commission, after conducting a public hearing, determines that
40 a rating scale of other than five levels is more appropriate than
41 five levels for a particular job classification within a particular
42 employing unit.

43 There shall be a presumption that a five-level system is the most
44 appropriate system, and the department, agency, or institution must

1 demonstrate with clear and convincing evidence that a different system
2 is more appropriate. The performance appraisal system adopted shall
3 adhere to modern personnel management techniques and practices in
4 common use in the public and private sectors. ~~Departments, agencies,
5 and institutions with existing performance appraisal systems which use a
6 rating scale which is not consistent with the system described above shall
7 have until July 1, 1991, to bring their systems into compliance with this
8 subsection.~~

9 (3) The State Personnel Director shall ~~help~~ coordinate the efforts of
10 departments, agencies, and institutions to establish and administer their
11 performance appraisal systems and shall provide initial and ongoing
12 training in performance appraisal and performance system
13 administration. Training sessions for supervisory personnel on the
14 performance appraisal system, effective methods of employee
15 appraisal, and assessment of individual employee training and
16 development needs shall be held on a regular basis.

17 (3a) Each department, agency, and institution shall determine the individual
18 training needs of each of its employees in order to provide effective
19 employee training calculated to foster enhanced employee
20 performance and to afford each employee the training needed to
21 achieve performance levels that will result in the award of
22 performance pay. Individual employee training needs shall be
23 identified as part of an employee's performance appraisal.

24 (4) An employee whose performance ~~exceeds~~ meets or exceeds
25 performance requirements shall receive a performance increase unless
26 the employee's supervisor justifies in writing to the employee the
27 decision not to award the performance increase. An employee whose
28 performance does not ~~exceed~~ meet or exceed performance
29 requirements shall not receive a performance increase. Standards for
30 performance and standards for performance pay increases may be
31 established for each department, agency, or institution. These
32 standards may not set limits so as to preclude an employee whose
33 performance ~~exceeds~~ meets or exceeds performance requirements from
34 consideration for an increase.

35 (5) The State Personnel Director shall set the performance increase ranges
36 allowable for levels of performance that exceed performance
37 requirements. An employee whose performance exceeds expectations
38 shall receive a percentage increase equal to the midrange value for his
39 rating, unless the supervisor can justify an increase above or below the
40 midrange value within the allowable range. The supervisor shall give
41 an employee written justification of his decision to award an increase
42 above or below the midrange value when the employee requests
43 written justification. A supervisor's performance appraisal plan,
44 evaluation standards for each employee, and individual employee

1 ratings and recommended performance increase amounts, with
2 justification, shall be reviewed and approved by that supervisor's next
3 higher level supervisor.

4 (5a) If an employee is otherwise eligible for a performance increase and is
5 at the top of (but does not exceed) a pay scale, the employee shall
6 receive a performance increase in the form of a performance bonus.
7 This performance bonus shall be a one-time, lump-sum award paid
8 separately from any other payment to the employee for the year. Such
9 award shall not serve to increase the base pay of such employee. An
10 award of this bonus pursuant to this subdivision does not affect:

11 a. The value of the top of any pay scale; and

12 b. The employee's current salary, which will remain at the top of
13 the pay scale.

14 Except as provided in this subdivision, all other provisions of this
15 subsection shall apply to an employee at the top of a pay scale.

16 (6) The State Personnel Director may suspend any performance increase
17 that does not appear to meet the intent of the provisions of the
18 performance pay system and require the originating department,
19 agency, or institution to reconsider or justify the increase.

20 (7) An employee who disputes the fairness of his performance evaluation
21 or the sufficiency of the increase awarded or who believes that he was
22 unfairly denied a performance increase shall first discuss the problem
23 with his supervisor. Appeals of the supervisor's decision shall be made
24 only to the grievance committee or internal performance review board
25 of the department, agency, or institution which shall make a
26 recommendation to the head of the department, agency, or institution
27 for final decision. The State Personnel Director shall help a
28 department, agency, or institution establish an internal performance
29 review board or, if it includes employee members, to use its existing
30 grievance committee to hear performance pay disputes. Notwithstanding
31 G.S. 150B-2(2) and G.S. 126-22, 126-25, and 126-
32 34, performance pay disputes, including disputes about individual
33 performance appraisals, shall not be considered contested case issues.

34 (7a) Each department, agency, and institution shall establish a performance
35 management and pay advisory committee as part of the performance
36 appraisal system. The purpose of the committee is to ensure that
37 performance pay increases are made in an equitable ~~manner~~-manner
38 and in compliance with the performance appraisal system coordinated
39 by the Office of State Personnel. The committee shall be responsible
40 for reviewing:

41 a. Agency performance pay policies and performance pay plan to
42 determine whether this section and any guidelines promulgated
43 by the Office of State Personnel have been adhered to;

- 1 b. Agency training and education programs to determine whether
2 all employees receive appropriate information; and
3 c. Performance ratings within the department, agency, or
4 institution to determine whether an equitable distribution has
5 been made.

6 The committee must have a minimum of five members. The head
7 of each department, agency, and institution shall appoint the members
8 of the committee with equal representation of nonsupervisory,
9 supervisory, and management employees. The committee shall elect
10 its own chair.

11 The performance management and pay advisory committee shall
12 meet at least two times each year. The committee shall submit a
13 written report following each meeting to the head of the department,
14 agency, or institution. The report shall include recommendations for
15 changes and corrections in the administration of the performance
16 management system. The recommendations of the committee shall be
17 advisory only. The head of the department, agency, or institution shall
18 respond to the committee within three months. Copies of the report
19 shall be included in the report to the Office of State Personnel that is
20 required of that agency, department, or institution. Summaries of the
21 report shall be included in the annual reports that are mandated by this
22 subsection.

23 ~~— Nothing in subdivision (7a) and each subpart hereof shall be construed to~~
24 ~~obligate the General Assembly to appropriate funds to implement the~~
25 ~~provisions of this subdivision.~~

26 (8) The State Personnel Director shall monitor the performance appraisal
27 system and performance increase distribution of each employing unit
28 within each department, agency, and institution. Each department,
29 agency, and institution shall submit to the Director annual reports
30 which shall include data on the demographics of performance ratings,
31 the frequency of evaluations, the performance pay increases awarded,
32 and the implementation schedule for performance pay increases. The
33 Director shall analyze the data to ensure that performance increases are
34 distributed fairly within each department, agency, and institution and
35 across all departments, agencies, and institutions of State government
36 and shall report back to each department, agency, and institution on its
37 appraisal and distribution performance.

38 (9) The State Personnel Director shall report annually on the performance
39 pay program to the Commission. The report shall evaluate the
40 performance of each department, agency, and institution in the
41 administration of its appraisal system and the distribution of
42 performance increases within each department, agency, and institution
43 and across State government. The report shall include
44 recommendations for improving the performance appraisal system and

1 alleviating inequities. Copies of the report shall be sent to the State
2 Auditor.

- 3 (10) The Commission shall report annually to the Governor, the Lieutenant
4 Governor, the President Pro Tempore of the Senate, the Speaker of the
5 House of Representatives, and the Standing Personnel Committees of
6 the House and the Senate. The Commission report shall include an
7 evaluation of the administration of the appraisal system and
8 distribution of performance increases by each department, agency, and
9 institution. The State Personnel Director shall recommend to the
10 General Assembly for its approval sanctions to be levied against
11 departments, agencies, and institutions that have deficient appraisal
12 systems or that do not link performance increases to performance.
13 These sanctions may include withholding performance increases from
14 the managers and supervisors of individual employing units of
15 departments, agencies, and institutions in which discrepancies exist."

16 (b) This section is effective upon ratification.

17 ---TEMP. EMPLOYEES EQUALIZED.

18 Sec. 3. (a) G.S. 120-32.5 reads as rewritten:

19 "**§ 120-32.5. ~~Leave for~~ Benefits for temporary employees.**

20 ~~Temporary part time or full time employees of the General Assembly who have four~~
21 ~~years of aggregate employment with the General Assembly (temporary or permanent)~~
22 ~~shall receive the same holidays, vacation leave, and sick leave as permanent part time or~~
23 ~~full time employees of the General Assembly respectively, or as may be determined by~~
24 ~~the Legislative Services Commission. Notwithstanding any other provision of law,~~
25 temporary employees of the General Assembly shall receive health benefits, retirement
26 benefits, and paid leave benefits equal to those benefits provided to temporary
27 employees of the executive branch who are subject to the State Personnel Act. This
28 section shall not be construed to reduce the vested retirement benefits of temporary
29 employees or former employees of the General Assembly."

30 (b) This section is effective upon ratification.

31 ---REPEAL HP MERIT PAY.

32 Sec. 4. (a) The General Assembly finds that:

- 33 (1) The special merit pay increase for Highway Patrol officers has created
34 morale problems among other State law enforcement officers. Morale
35 problems arise when those other law enforcement officers whose
36 performance would otherwise merit an increase do not receive
37 increases when the budget does not provide funding for merit raises.
- 38 (2) The special merit pay provision violates the principle that employees
39 in similar jobs and operating at comparable levels of performance
40 should be compensated similarly.

41 (b) G.S. 20-187.3(a) reads as rewritten:

42 "(a) The Secretary of Crime Control and Public Safety shall not make or permit to
43 be made any order, rule, or regulation requiring the issuance of any minimum number of
44 traffic citations, or ticket quotas, by any member or members of the State Highway

1 Patrol. Pay and promotions of members of the Highway Patrol shall be based on their
2 overall job performance and not on the basis of the volume of citations issued or arrests
3 made. ~~The provisions of G.S. 126-7 shall not apply to members of the State Highway Patrol.~~
4 ~~Members of the Highway Patrol shall, however, be subject to salary classes, ranges and~~
5 ~~longevity pay for service as are applicable to other State employees generally. Beginning July~~
6 ~~1, 1985, and annually thereafter, each member of the Highway Patrol shall be granted a salary~~
7 ~~increase in an amount corresponding to the increments between steps within the salary range~~
8 ~~established for the class to which the member's position is assigned by the State Personnel~~
9 ~~Commission, not to exceed the maximum of each applicable salary range. Beginning July 1,~~
10 1993, the provisions of G.S. 126-7 shall apply to members of the State Highway Patrol."

11 (c) The base budget of the Department of Crime Control and Public Safety is
12 reduced by one million one hundred thirty-seven thousand three hundred eighty-six
13 dollars (\$1,137,386) for the 1993-94 fiscal year and by two million three hundred
14 seventy-nine thousand four hundred twelve dollars (\$2,379,412) for the 1994-95 fiscal
15 year due to the repeal of the automatic merit pay increase in subsection (b) of this
16 section.

17 (d) This section becomes effective July 1, 1993.

18 —LAW OFFICER POSITION RULES.

19 Sec. 5. (a) Article 12D of Chapter 143 of the General Statutes is amended by
20 adding a new section to read:

21 "**§ 143-166.40B. When sworn law enforcement officer required.**

22 The State Personnel Commission shall issue rules and procedures for determining
23 when a vacant position in State government employment shall be filled by a State
24 employee who is a sworn law enforcement officer and who requires the powers of a
25 sworn law enforcement officer in order to carry out the essential duties of his or her
26 position."

27 (b) This section is effective upon ratification.

28 —CIVILIANIZATION.

29 Sec. 6. (a) Article 12D of Chapter 143 of the General Statutes is redesignated
30 "Law Enforcement Officers," and is amended by adding the following new section:

31 "**§ 143-166.40A. Civilianization.**

32 (a) For the purposes of this section, 'Law enforcement officer' means a person
33 who:

- 34 (1) Requires the power of arrest to perform the essential duties of his or
35 her position;
- 36 (2) Must be armed to carry out the essential functions of his or her
37 position; and
- 38 (3) Is required by the Criminal Justice Education and Training Standards
39 Commission to be certified, and as such, must attend and pass a core
40 law enforcement curriculum.

41 (b) A person who has attained the status of a law enforcement officer shall not
42 transfer or continue that status to a new position if he or she fills a position in State
43 government employment that does not meet the definition of a State law enforcement
44 officer as set forth in this section.

1 (c) The job classes of law enforcement officers set forth in this subsection shall
2 be civilianized upon vacancy. A position vacancy in any of these classifications shall
3 be filled by an employee who shall not hold the status of a law enforcement officer
4 while serving in a position in these job classes. These job classes are deemed not to
5 require that a State employee be a law enforcement officer in order to discharge the
6 essential duties of positions in these classifications:

7 (1) Security Chief – Department of Agriculture

8 (2) Security Officers – Department of Cultural Resources, Archives
9 Division

10 (3) Security Officers – Department of Cultural Resources, Arts Division

11 (4) Security Officers of State Schools and Hospitals

12 (5) Security Officers – Department of Justice

13 (6) Security Officers – Department of Justice, Training and Standards
14 Division

15 (7) Hunter and Boater Safety Coordinator

16 (8) Insurance Investigators and Supervisors

17 (9) Securities and Commodities Investigators and Supervisors

18 (10) Port Police

19 (11) General Assembly Police

20 (12) Motor Vehicle Process Officers and Supervisors

21 (13) Motor Vehicle Law Enforcement – Inspectors and Supervisors

22 (14) Historic Site Manager

23 (15) Safety Officers

24 (16) Parks Operations Chief

25 (17) SBI Forensic Photographer

26 (18) SBI Forensic Chemist

27 (19) SBI Forensic Chemist II

28 (20) SBI Forensic Chemist III

29 (21) SBI Forensic Chemist Supervisor III

30 (22) SBI Forensic Chemist Supervisor IV

31 (23) SBI Forensic Serologist I

32 (24) SBI Forensic Serologist II

33 (25) SBI Forensic Serologist Supervisor

34 (26) SBI Forensic Analyst I

35 (27) SBI Latent Evidence Technician

36 (28) SBI Latent Evidence Supervisor

37 (29) Special Investigator – Medicaid Fraud

38 (30) SBI Latent Evidence Assistant Supervisor

39 (31) Wildlife Enforcement Training Director

40 (32) Special Investigation Supervisor

41 (33) Assistant Director of Crime Laboratory

42 (34) SBI Fingerprint Identification Supervisor

43 (35) Criminal Information Auditor

44 (36) Criminal Information Audit Supervisor

- 1 (37) Criminal Information Training Specialist
 2 (38) Scales Mechanic
 3 (39) Administrative Assistant
 4 (40) Parking Control Supervisor
 5 (41) Medicaid Fraud Investigator Supervisor
 6 (42) SBI Assistant Director – Administrative Services
 7 (43) Locksmith II
 8 (44) Motor Vehicle Training Coordinator
 9 (45) Automated Fingerprint ID Systems Manager
 10 (46) Driver Service Training Officer
 11 (47) Staff Development Specialist I
 12 (48) Departmental Purchasing Agent II
 13 (49) Computer System Coordinator I
 14 (50) Fingerprint ID Technician II
 15 (51) Fingerprint ID Processing Supervisor
 16 (52) Deputy Director Medicaid Fraud
 17 (53) ALE Training Coordinator
 18 (54) Wildlife Telecommunication Manager."

19 (b) G.S. 135-1(11b) reads as rewritten:

20 "(11b) 'Law-Enforcement Officer' means a full-time paid employee of an
 21 employer who ~~is actively serving in a position with assigned primary~~
 22 ~~duties and responsibilities for prevention and detection of crime or the~~
 23 ~~general enforcement of the criminal laws of the State of North~~
 24 ~~Carolina or serving civil processes, and who possesses the power of~~
 25 ~~arrest by virtue of an oath administered under the authority of the~~
 26 ~~State. requires the power of arrest to perform the essential duties of his~~
 27 ~~or her position, must be armed to carry out the essential functions of~~
 28 his or her position, and is certified by the Criminal Justice Education
 29 and Training Standards Commission to be certified, and as such, must
 30 attend and pass a core law enforcement curriculum."

31 (c) This section becomes effective July 1, 1993.

32 —LAW OFF. FUNDS RESTRICTED.

33 Sec. 7. (a) State departments, agencies, and institutions shall not use budgeted
 34 funds to pay law enforcement officer benefits to persons filling positions that do not
 35 require the status of law enforcement officer as a basic requirement of the position.
 36 Law enforcement officer benefits shall be paid only to employees who require the
 37 power of arrest to perform the essential duties of a position, who must be armed to
 38 perform the essential duties of the position, and who are certified by the Criminal
 39 Justice Education and Training Standards Commission to be certified.

40 (b) This section becomes effective July 1, 1993.

41 —LAW ENFORCEMENT RETIRE. GOAL.

42 Sec. 8. (a) Effective January 1, 1994, G.S. 143-166.41 reads as rewritten:

43 "**§ 143-166.41. Special separation allowance.**

1 (a) Notwithstanding any other provision of law, every sworn law-enforcement
2 officer as defined by G.S. 135-1(11b) or G.S. 143-166.30(a)(4) employed by a State
3 department, agency, or institution who qualifies under this section shall receive,
4 beginning on the last day of the month in which he retires on a basic service retirement
5 under the provisions of G.S. 135-5(a) or G.S. 143-166(y), an annual separation
6 allowance equal to eighty-five hundredths percent (0.85%) of ~~the annual equivalent of the~~
7 ~~base rate of compensation most recently applicable to him~~ his base salary for each year of
8 creditable service as a law enforcement officer, reduced by a determined maximum life
9 annuity value of benefits payable at the time of retirement from contributions other than
10 his own and earnings thereon whether withdrawn or not during the career of the officer
11 from the Supplemental Retirement Income Plan pursuant to Chapters 135 and 143 of the
12 General Statutes, as may be determined by the Department of the State Treasurer and
13 the Plan's Board of Trustees. However, in the event that the benefit provided by this
14 section, when added to the maximum benefits from the Teachers' and State Employees'
15 Retirement System and the Supplemental Income Plan, exceeds seventy-five percent
16 (75%) of the law enforcement officer's base salary, the benefits provided by this section
17 shall be reduced to the extent possible so that the total does not exceed seventy-five
18 percent (75%) of base salary. For purposes of this section, 'base salary' means the
19 annual equivalent of the base rate of compensation most recently applicable to the law
20 enforcement officer, not including pay for overtime or other types of extraordinary pay.

21 The allowance shall be paid in 12 equal installments on the last day of each month.
22 To qualify for the allowance the officer shall:

- 23 (1) Have (i) completed 30 or more years of creditable service or, (ii) have
24 attained 55 years of age and completed five or more years of creditable
25 service; and
- 26 (2) Not have attained 62 years of age; and
- 27 (3) Have completed at least five years of continuous service as a law
28 enforcement officer as herein defined immediately preceding a service
29 retirement. Any break in the continuous service required by this
30 subsection because of disability retirement or disability salary
31 continuation benefits shall not adversely affect an officer's
32 qualification to receive the allowance, provided the officer returns to
33 service within 45 days after the disability benefits cease and is
34 otherwise qualified to receive the allowance.

35 (b) As used in this section, 'creditable service' means the service for which credit
36 is allowed under the retirement system of which the officer is a member, provided that
37 at least fifty percent (50%) of the service is as a law enforcement officer as herein
38 defined.

39 (c) Payment to a retired officer under the provisions of this section shall cease at
40 the death of the individual or on the last day of the month in which he attains 62 years
41 of age or upon the first day of reemployment by any State department, agency, or
42 ~~institution~~ institution, or by any unit of local government within the State.

43 (d) This section does not affect the benefits to which an individual may be
44 entitled from State, federal, or private retirement systems. The benefits payable under

1 this section shall not be subject to any increases in salary or retirement allowances that
2 may be authorized by the General Assembly for employees of the State or retired
3 employees of the State.

4 (e) The head of each State department, agency, or institution shall determine the
5 eligibility of employees for the benefits provided herein.

6 (f) The Director of the Budget may authorize from time to time the transfer of
7 funds within the budgets of each State department, agency, or institution necessary to
8 carry out the purposes of this Article. These funds shall be taken from those
9 appropriated to the department, agency, or institution for salaries and related fringe
10 benefits.

11 (g) The head of each State department, agency, or institution shall make the
12 payments set forth in subsection (a) to those persons certified under subsection (e) from
13 funds available under subsection (f)."

14 (b) Effective January 1, 1994, G.S. 143-166.42 reads as rewritten:

15 "**§ 143-166.42. Special separation allowances for local officers.**

16 On and after January 1, 1987, the provisions of G.S. 143-166.41 shall apply to all
17 eligible law-enforcement officers as defined by G.S. 128-21(11b) or G.S. 143-
18 166.50(a)(3) except sheriffs who are employed by local government employers, except
19 as may be provided by this section. As to the applicability of the provisions of G.S. 143-
20 166.41 to locally employed officers, the governing body for each unit of local
21 government shall be responsible for making determinations of eligibility for their local
22 officers retired under the provisions of G.S. 128-27(a) or an equivalent locally
23 sponsored retirement plan and for making payments to their eligible officers under the
24 same terms and conditions, other than the source of payment, as apply to each State
25 department, agency, or institution in payments to State officers according to the
26 provisions of G.S. 143-166.41. For the purposes of determining the net amount of
27 separation allowances payable to local officers under the provisions of G. S. 143-
28 166.41, benefits payable by any locally sponsored retirement plan that supplement
29 retirement benefits payable under Article 3 of Chapter 128 of the General Statutes shall
30 be treated the same as a determined maximum life annuity payable from the
31 Supplemental Retirement Income Plan."

32 (c) This section becomes effective January 1, 1994.